

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

UNITED STATES OF AMERICA

v.

EARNEST LEON STEPHENS (1).

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CASE NUMBER 6:19-CR-00047-JDK

**ORDER ADOPTING MAGISTRATE JUDGE’S FINDINGS
OF FACT AND RECOMMENDATION ON GUILTY PLEA**

On this day, the Court considered the Findings of Fact and Recommendation of United States Magistrate Judge K. Nicole Mitchell regarding Defendant Earnest Leon Stephens’ plea of guilty to Count Four with a violation of Title 18 U.S.C. § 924(c) – Use, Carrying, and Possession of a Firearm During and in Furtherance of a Drug Trafficking Crime.


Having conducted a proceeding in the form and manner prescribed by Federal Rule of Criminal Procedure 11, the Magistrate Judge recommends that the Court accept Defendant’s guilty plea. The parties waived their right to file objections to the Findings of Fact and Recommendation. The Court is of the opinion that the Findings of Fact and Recommendation should be accepted.

It is accordingly **ORDERED** that the Findings of Fact and Recommendation of the United States Magistrate Judge, filed January 9, 2020, are hereby **ADOPTED**.

It is further **ORDERED** that Defendant’s guilty plea is accepted and approved by the Court. Further, the Plea Agreement is approved by the Court, conditioned upon a review of the presentence report.

It is further **ORDERED** that, pursuant to Defendant's Plea Agreement, the Court finds Defendant **GUILTY** of Count Four of the Indictment in the above-numbered cause and enters a **JUDGMENT OF GUILTY** against Defendant as to Count Four of the Indictment.

So **ORDERED** and **SIGNED** this **15th** day of **January, 2020**.



JEREMY D. KERNODLE
UNITED STATES DISTRICT JUDGE